

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 327 - SB 301

February 1, 2021

SUMMARY OF BILL: Establishes limitations on when and how a member of a county legislative body (CLB) may participate in scheduled commission meetings via electronic means. Requires CLBs to establish policies for the conduction of meeting with electronic participation.

ESTIMATED FISCAL IMPACT:

Other Fiscal Impact – Due to multiple unknown factors, the extent and timing of any recurring, permissive increase in local government expenditures cannot reasonably be determined.

Assumptions:

- Pursuant to Tenn. Code Ann. § 8-44-109, CLBs are authorized to allow CLB members to participate in meetings via electronic means, in certain circumstances; however, members participating via electronic means are ineligible for receipt of per diem.
- The proposed language:
 - Specifies CLB members are only allowed to participate in meetings electronically if they are required to be out of county at the time of the meeting, are dealing with a medical emergency, or are called into military service;
 - Prohibits CLBs from conducting commission meetings utilizing electronic participation unless a quorum is physically present at the meeting location; and
 - Limits the number of times a CLB member may participate electronically to two times per year, unless the CLB member's absence is due to military service.
- This analysis assumes:
 - Currently CLB members do not participate via electronic means frequently given that such participation is ineligible for per diem;
 - Under the proposed legislation, the number of CLB members who will participate electronically will be similar to current participation rates due to the specific criteria established for electronic participation; and
 - Policies adopted by CLBs will address per diem eligibility of members participating electronically.
- In the event a CLB establishes a policy which maintains per diem ineligibility for electronic participation, the increase in local government expenditures is considered not significant.

- In the event a CLB establishes a policy which would grant per diem to members participating electronically, there will be a permissive increase in local government expenditures; however, due to multiple unknown factors such as, the number of CLBs who will establish such policies granting per diem payments, the extent of per diem paid to individual members, and the timing of any payments, the extent and timing of any recurring permissive increase cannot reasonably be determined.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Bojan Savic". The signature is written in a cursive, flowing style.

Bojan Savic, Interim Executive Director

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